



#15 DAC  
MS. PETITION  
PATENT  
4450-0293P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Rohit SHARMA Conf.: 9982  
Appl. No.: 09/580,029 Group: 2133  
Filed: May 26, 2000 Examiner: D. Ton  
For: NETWORK PERFORMANCE MONITORING AND  
RESTORATION BASED ON TRANSMISSION CODE  
VIOLATIONS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

**MS PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 31, 2004

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to an Office Action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

09/01/2004 CNGUYEN 00000071 09580029

01 FC:1453

1330.00 OP

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**OFFICE OF PETITIONS**

1. Petition fee

- ☐ Small entity - fee \$650.00 (37 C.F.R. § 1.17(m)).  
Applicant claims small entity status. See 37 C.F.R.  
§ 1.27.
- ☒ Other than small entity - fee \$1330.00 (37 C.F.R.  
§ 1.17(m))

2. Reply

- A. The reply and/or fee to the above-noted Office action  
in the form of a Reply:
- ☐ has been filed previously on .
- ☒ is enclosed herewith.
- B. The issue fee of .
- ☐ has been paid previously on .
- ☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or  
after June 8, 1995, no terminal disclaimer is  
required.
- ☐ A terminal disclaimer (and disclaimer fee (37 C.F.R.  
§ 1.20(d)) of \$55.00 for a small entity or \$110.00 for  
other than a small entity) disclaiming the required  
period of time is enclosed herewith.

4. Statement: The entire delay in filing the required reply  
from the due date for the required reply until the filing  
of a grantable petition under 37 C.F.R. § 1.137(b) was  
unintentional.


- ☐ No fee is required.
- ☒ Check(s) in the amount of \$1,330.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Michael R. Cammarata, #39,491

HMS

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

MRC/kpc  
4450-0293P

- Attachments: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other:

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**OFFICE OF PETITIONS**

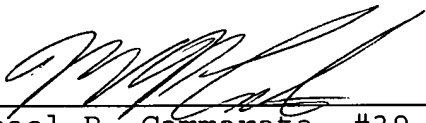


- ☐ Petition for ( ) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). for the extension of time.
- ☐ No fee is required.
- ☐ Check(s) in the amount of is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Michael R. Cammarata, #39,491

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(703) 205-8000

MRC/HNS/lab  
4450-0293P

Attachment(s)

(Rev. 02/08/2004)

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